



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

SHINOZUKA et al.

Serial No. 09/914,292

Filed: August 27, 2001

For: METHOD OF QUANTIFYING SUBSTRATE AND BIOSENSOR

Atty. Ref.: 159-68

Group: 1651

Examiner: Guo

**RECEIVED**

APR 01 2003

TECH CENTER 1600/2900

\* \* \* \* \*

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**TERMINAL DISCLAIMER**

Your petitioner, SAPPORO IMMUNO DIAGNOSTIC LABORATORY, a corporation having an office and place of business/residing at 12-20, Shinkawa Nijo 2-chome, Hokkaido, Japan 001-0922 represents that it is the assignee as recorded in an assignment at Reel 012268/Frame 0042, of all right, title and interest in and to Application Serial No. 09/914,292, filed August 27, 2001, for METHOD OF QUANTIFYING SUBSTRATE AND BIOSENSOR.

Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,639,672 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent granted on the above-identified application shall be the same as the legal title to the above-identified Patent No. 5,639,672, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

03/31/2003 MDANTE1 00000086 09914292

03 FC:1814

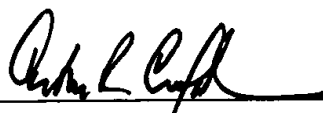
110.00 0P

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Patent No. 5,639,672 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SAPPORO IMMUNO DIAGNOSTIC  
LABORATORY

By:   
Arthur R. Crawford  
Assignee's Attorney

Date: March 26, 2003